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ACCOUNT NO. 23-0975

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Jun TAKAHASHI et al.

: **Mail Stop: PCT**

Serial No. 10/593,727

: Attorney Docket No. 2006_1310A

Filed September 21, 2006

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[Corresponding to PCT/JP2005/004360
Filed March 11, 2005]

**SUBMISSION OF ENGLISH VERSIONS OF INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY AND WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Submitted herewith for consideration by the Examiner are:

- 1) An English version of the International Preliminary Report on Patentability; and
- 2) An English version of the Written Opinion of the International Searching

Authority.

Respectfully submitted,

Jun TAKAHASHI et al.

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December 7, 2006

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

NII, Hiromori
c/o NII Patent Firm
6F, Tanaka Ito Pia Shin-Osaka Bldg.
3-10, Nishi Nakajima 5-chome
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06.11.14

Date of mailing (day/month/year) 02 November 2006 (02.11.2006)	
Applicant's or agent's file reference P37605-P0	IMPORTANT NOTIFICATION
International application No. PCT/JP2005/004360	International filing date (day/month/year) 11 March 2005 (11.03.2005)
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD. et al	

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Masashi Honda
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference P37605-P0	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2005/004360	International filing date (<i>day/month/year</i>) 11 March 2005 (11.03.2005)	Priority date (<i>day/month/year</i>) 20 April 2004 (20.04.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 25 October 2006 (25.10.2006)
Facsimile No. +41 22 338 82 70	Authorized officer <div style="text-align: center; font-weight: bold;">Masashi Honda</div> e-mail: pt08@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

TRANSLATION

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

P37605-P0

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/004360

International filing date (day/month/year)

11.03.2005

Priority date (day/month/year)

20.04.2004

International Patent Classification (IPC) or both national classification and IPC

Applicant

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/004360

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/004360

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1 - 24	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1 - 24	NO
Industrial applicability (IA)	Claims	1 - 24	YES
	Claims		NO
2. Citations and explanations:			
<p>Document 1: JP 2000-347946 A (Deutsche Thomson Brandt GmbH.), 15 December 2000, paragraphs 0015 to 0017 & EP 1045388 A1, paragraphs 0015 to 0017</p> <p>Document 2: JP 2004-5816 A (Toshiba Corp.), 08 January 2004, paragraphs 0017 to 0018 (Family: none)</p> <p>Document 3: JP 2002-278859 A (NEC Corp.), 27 September 2002, abstract & US 2002/0143807 A1 & EP 1248433 A2</p> <p>Document 1 discloses the following.</p> <ol style="list-style-type: none"> 1. Transfer procedure of license consisting of steps 1-4 below <ol style="list-style-type: none"> Step 1: If a multimedia content item itself does not exist in the second apparatus, the content is copied to the second apparatus. Step 2: A content descriptor is copied to the second storage apparatus. If the content is encrypted or partially encrypted, the descriptor has a valid decryption key for the first apparatus. Step 3: The content descriptor of the first storage apparatus is cleared. Step 4: A new decryption key is generated for the use of the multimedia content in the storage apparatus and is inserted into the copied content descriptor. (paragraph 15) 2. Above procedures are valid only if the decryption key is advantageously used for a single storage apparatus or a single reproduction application. Therefore, the copied multimedia content including the copied content descriptor cannot be reproduced in the second storage apparatus until a new key is generated. Thus, interruption of the procedure removes any danger of falsification related to illegal duplication of licenses. (paragraph 0016) <p>The multimedia content exists physically on both first and second storage apparatus. However, this content item can be reproduced only in the second storage apparatus until the license in the form of the content descriptor is returned to the first storage apparatus. (paragraph 0017)</p>			

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

Document 2 discloses the following:

Having migration means for moving audio information, when instructed to move the audio information stored on a first recording medium to a second recording medium, such that the audio information is recorded to the second recording medium without deleting the audio information, and the audio information management information is deleted to make reproduction of the audio information invalid. The procedure does not delete audio information after moving audio information to another medium. Instead, the procedure deletes the program that is the management information moved with the audio information and thereby makes reproduction impossible. (paragraphs 0017 to 0018).

Document 3 describes art in which the content reproduction apparatus acquires missing content from the missing content storage section and uses the differential content from the server to reproduce the content. (abstract)

Instead of the art of document 1 of making reproduction impossible by the use of a content descriptor, using the art of making reproduction impossible by making part of the content invalid (for example, the deletion of the management information of document 2 and the differential content of document 3) to achieve the configuration of claim 1 would be easily achieved by a party skilled in the art. Claims 1-24 do not appear to involve an inventive step. Note that re-encoding is ordinary art.